

**TABLE OF PROPOSED REVISIONS TO  
ELEVENTH CIRCUIT RULES AND IOP'S**

<b>Page</b>	<b>Line(s)</b>	<b>Circuit Rule or IOP</b>	<b>Comments</b>
48	12 - 14	Cir. R. 22-4(c)	Non-substantive editorial amendment, changing the word "application" to "petition."
55	28 - 32	IOP 4, <u>Papers Sent Directly to Judges' Chambers</u>	Clarify procedures followed by judges when a lawyer or party in a pending appeal sends papers directly to a judge's chambers. [Existing IOP 4 to be renumbered.]
66	26	Cir. R. 27-1(d)(10)	Amend rule to limit its scope to motions to file an amicus brief filed prior to the issuance of a panel opinion.
76	19 - 23	IOP, <u>Citation of Supplemental Authorities</u>	Clarify that an amicus curiae may file supplemental authorities.
82	10 - 11	Cir. R. 31-1(c)	Add "Motion to Expand a Certificate of Appealability" to the list of motions that postpone briefing.
85	46	Cir. R. 31-6	Add "Home addresses" to list of personal data identifiers, consistent with Judicial Conference privacy policy in connection with electronic public access to criminal case files.
85A	11 - 13	Cir. R. 31-6	Adopt recommendation of the Judicial Conference that social security appeals should be exempt from electronic public access.
85A	15 - 28	Cir. R. 31-6	Expand list of information about which counsel should exercise caution, consistent with Judicial Conference privacy policy in connection with electronic public access to criminal case files.
91 92	23 - 28 38 - 43 13 - 17	Cir. R. 33-1(a)	Amend rule to inform counsel that Civil Appeal Statement Form is available on the Internet, in lieu of requiring courts to mail the form.

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102	19 - 24	Cir. R. 35-2	Clarify that for purposes of determining the due date for a petition for en banc rehearing, a civil appeal is any appeal that is not a direct appeal of a judgment or sentence in a criminal case.
103	1 - 2	Cir. R. 35-5	Abrogate rule, as inconsistent with the court's practice that only an active judge of the court may request that the court be polled concerning rehearing en banc. [Existing Cir. R. 35-6 through 35-10 to be renumbered.]
104	39 - 44	IOP 3, <u>Panel Has Control</u>	Move portions of IOP 3, concerning the effect of recusal on the number of votes required to take an appeal en banc, to a new IOP 8 so that they are easier to find.
105	28 - 32	IOP 8, <u>Effect of Recusal or Disqualification on Number of Votes Required</u>	Move portions of IOP 3, concerning the effect of recusal on the number of votes required to take an appeal en banc, to a new IOP 8 so that they are easier to find. [Existing IOP 8 through 10 to be renumbered.]
105 106	39 1, 5, 15	IOP 10, <u>En Banc Rehearing Procedures Following Affirmative Poll</u>	Organize the IOP into named subsections for easier reading, and a non-substantive editorial amendment in subsection (a).
106	19 - 30	IOP 11, <u>Electronic Transmission of Emergency Petition for Rehearing En Banc</u>	Update IOP to reflect preferred practice in a capital case when a party files a petition for rehearing en banc after a panel has denied a request to stay an execution that is imminent.
107	40 - 41	Cir. R. 36-2	Add cross-reference to proposed new IOP 7, <u>Citation to Unpublished Opinions by the Court.</u>

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108	38 - 45	IOP 6, <u>Unpublished Opinions</u>	Assign new subsection number and title to former second paragraph of IOP 5, <u>Publication of Opinions</u> , and clarify weight the court will give to unpublished opinions of another circuit. Also, a non-substantive technical amendment updating the Federal Reporter reference.
109	1 - 5	IOP 7, <u>Citation to Unpublished Opinions by the Court</u>	Clarify circumstances in which the court may cite to its unpublished opinions. [Existing IOP 6 and 7 to be renumbered.]
114 115	45 1 - 3	Cir. R. 40-3	Clarify that for purposes of determining the due date for a petition for rehearing, a civil appeal is any appeal that is not a direct appeal of a judgment or sentence in a criminal case.
118	23	Cir. R. 42-1(a)	Add cross-reference to other rules pertaining to motions to dismiss in criminal appeals.
121	8 - 12	IOP, <u>Voluntary Dismissal With Prejudice</u>	Clarify requirements for a joint motion to dismiss.